

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JASWINDER RAI CHHIBBER,

Defendant.

) Docket No. 11 CR 119

) Chicago, Illinois
) March 13, 2012
) 1:20 o'clock p.m.

TRIAL TRANSCRIPT OF PROCEEDINGS - Verdict
BEFORE THE HONORABLE SUZANNE B. CONLON, AND A JURY
VOLUME 8

APPEARANCES:

For the Plaintiff:

HON. PATRICK FITZGERALD
United States Attorney
BY: MR. SAMUEL B. COLE
MR. JOEL M. HAMMERMAN
219 S. Dearborn St., Suite 500
Chicago, Illinois 60604

For the Defendant:

PUGH, JONES & JOHNSON, P.C.
BY: MR. WALTER JONES, JR.
MR. JONATHAN B. CIFONELLI
180 North LaSalle Street, Suite 3400
Chicago, IL 60601
(312) 768-7800

LAW OFFICE OF ROBERT ORMAN
BY: MR. ROBERT ORMAN
One North LaSalle Street, Suite 1775
Chicago, IL 60602
(312) 372-0515

Court Reporter:

COLLEEN M. CONWAY, CSR, RMR, CRR
Official Court Reporter
219 S. Dearborn Street, Room 2524-A
Chicago, Illinois 60604
(312) 435-5594
colleen_conway@ilnd.uscourts.gov

1 (The following proceedings were had in open court:)

2 THE COURT: Call the case on trial, please.

3 THE CLERK: 11 CR 119, U.S.A. versus Jaswinder Rai
4 Chhibber, jury trial.

5 MR. HAMMERMAN: Good afternoon, Your Honor.

6 Joel Hammerman and Sam Cole on behalf of the United
7 States.

8 MR. CIFONELLI: Good afternoon --

9 THE COURT: Good afternoon.

10 MR. CIFONELLI: -- Your Honor. Jonathan Cifonelli on
11 behalf of the defendant.

12 THE COURT: Good afternoon. I have received a note
13 from the jury that they have a verdict. I can't read the name
14 of the foreperson. I was given this note about five minutes
15 ago, I guess it was.

16 So, if you will be seated, we will find out what the
17 verdict is.

18 MR. HAMMERMAN: Yes, Your Honor.

19 MR. CIFONELLI: My client's on the way, Your Honor.
20 He'll be here in about five minutes.

21 (Jury in.)

22 THE COURT: Good afternoon, members of the jury.
23 Please be seated.

24 I have been informed that you have reached a verdict.
25 Could you hand the verdict to the marshal, please.

1 (Verdict tendered to Court.)

2 THE COURT: Thank you. We will wait a few minutes
3 until the defendant arrives.

4 (Pause. Defendant, Mr. Jones and Mr. Orman enter.)

5 THE COURT: The record should reflect that the
6 defendant and counsel are all present.

7 I ask the clerk to read the verdict of the jury.

8 THE CLERK: "Count 1. With respect to Count 1 of the
9 indictment, we, the jury, find as follows: As to Defendant
10 Jaswinder Rai Chhibber: Guilty.

11 "As to Count 2 of the indictment, we, the jury, find
12 as follows: As to Defendant Jaswinder Rai Chhibber: Not
13 guilty.

14 "Count 3. With respect to Count 3 of the indictment,
15 we, the jury, find as follows: As to Jaswinder Rai Chhibber:
16 Guilty.

17 "Count 4. With respect to Count 4 of the indictment,
18 we, the jury, find as follows: As to Defendant Jaswinder Rai
19 Chhibber: Guilty.

20 "Count 5. With respect to Count 5 of the indictment,
21 we, the jury, find as follows: As to Defendant Jaswinder Rai
22 Chhibber: Guilty.

23 "Count 6. With respect to Count 6 of the indictment,
24 we, the jury, find as follows: As to Defendant Jaswinder Rai
25 Chhibber: Not guilty.

1 "Count 7. With respect to Count 7 of the indictment,
2 we, the jury, find as follows: As to Defendant Jaswinder Rai
3 Chhibber: Not guilty.

4 "Count 8. With respect to Count 8 of the indictment,
5 we, the jury, find as follows: As to Defendant Jaswinder Rai
6 Chhibber: Guilty.

7 "Count 9. With respect to Count 9 of the indictment,
8 we, the jury, find as follows: As to Defendant Jaswinder Rai
9 Chhibber: Guilty.

10 "Count 10. With respect to Count 10 of the
11 indictment, we, the jury, find as follows: As to Defendant
12 Jaswinder Rai Chhibber: Not guilty.

13 "Count 11. With respect to Count 11 of the
14 indictment, we, the jury, find as follows: As to Defendant
15 Jaswinder Rai Chhibber: Guilty.

16 "Count 12. With respect to Count 12 of the
17 indictment, we, the jury, find as follows: As to Defendant
18 Jaswinder Rai Chhibber: Guilty.

19 "Count 13. With respect to Count 13 of the
20 indictment, we, the jury, find as follows: As to Defendant
21 Jaswinder Rai Chhibber: Guilty.

22 "Count 14. With respect to Count 14 of the
23 indictment, we, the jury, find as follows: As to Defendant
24 Jaswinder Rai Chhibber: Not guilty.

25 "Count 15. With respect to Count 15 of the

1 indictment, we, the jury, find as follows: As to Defendant
2 Jaswinder Rai Chhibber: Not guilty.

3 "Count 16. With respect to Count 16 of the
4 indictment, we, the jury, find as follows: As to Defendant
5 Jaswinder Rai Chhibber: Not guilty."

6 Signed by all jurors.

7 THE COURT: Do you wish the jury polled?

8 MR. JONES: We do, Your Honor.

9 THE COURT: All right. What this means, members of
10 the jury, is that the clerk is going to call each of your
11 names. When your name is called, please stand and indicate.
12 Her question to you will be: Is this now and was this your
13 verdict? And you give whatever your answer is.

14 THE CLERK: Kenneth Dumas, was this and is this now
15 your verdict?

16 JUROR DUMAS: Yes, it is.

17 THE CLERK: Thank you. Daniel Muntner, was this and
18 is this now your verdict?

19 JUROR MUNTNER: Yes, it is.

20 THE CLERK: Thank you. Rhonda Janus, was this and is
21 this now your verdict?

22 JUROR JANUS: Yes, it is.

23 THE CLERK: Thank you. Laurey Benshish, was this and
24 is this now your verdict?

25 JUROR BENSISH: Yes, it is.

1 THE CLERK: Thank you. Stefanie Ryl, was this and is
2 this now your verdict?

3 JUROR RYL: Yes, it is.

4 THE CLERK: Thank you. John Pope, was this and is
5 this now your verdict?

6 JUROR POPE: Yes, it is.

7 THE CLERK: Thank you. Thomas Koontz, was this and
8 is this now your verdict?

9 JUROR KOONTZ: Yes.

10 THE CLERK: Thank you. Robin Gols, was this and is
11 this now your verdict?

12 JUROR GOLS: Yes, it is.

13 THE CLERK: Thank you. Shirley Belcher -- I'm sorry.
14 Susanne Carroccia, was this and is this now your
15 verdict?

16 JUROR CARROCCIA: Yes, it is.

17 THE CLERK: Thank you. April Siegried, was this and
18 is this now your verdict?

19 JUROR SIEGRIED: Yes.

20 THE CLERK: Thank you. Loy Baluyot, was this and is
21 this now your verdict?

22 JUROR BALUYOT: Yes, it is.

23 THE CLERK: Thank you. Nathan Willert, was this and
24 is this now your verdict?

25 JUROR WILLERT: Yes, it is.

1 THE CLERK: Thank you. So say you all? Is this your
2 verdict?

3 THE JURY: Yes.

4 THE CLERK: Thank you.

5 THE COURT: Ladies and gentlemen, you have been here
6 a long time, almost two weeks, and I realize you have gone
7 through all kinds of weather conditions in that jury room, from
8 hot to cold and in between, but you have faithfully served the
9 community and your responsibilities as jurors.

10 I can tell by the verdict how carefully you went
11 through the evidence and considered the evidence presented, a
12 considerable amount of evidence, including a lot of documents,
13 and were very careful in reaching a verdict that is very, very
14 discerning.

15 I know you appreciate the seriousness of your
16 responsibility and be assured that you have the sincere
17 appreciation of all of us, as well as the gratitude of the
18 judges of the district. As I think I said the first or second
19 day of trial, we simply cannot administer the system of justice
20 without the help of good, honest people like yourselves. Thank
21 you.

22 As a very small token of the appreciation of the
23 United States District Court for Northern Illinois, we have
24 some certificates which the clerk will give you, and these
25 certificates will prove where you have spent the last couple

1 weeks. If an employer or spouse or someone wants to know what
2 you have been up to, you have the evidence.

3 So, with my sincere appreciation, thank you. You are
4 discharged.

5 MR. JONES: May I?

6 MR. COLE: Your Honor?

7 THE COURT: What is the problem?

8 MR. COLE: There's this forfeiture allegation. So I
9 think before the jury gets -- leaves, we need to decide that.

10 THE COURT: Well, I am afraid I am going to have to
11 send you back to the jury room for one last time, which means
12 that there is something else to discuss.

13 (Jury out.)

14 THE COURT: Would you please be seated and would you
15 please explain to me why you are now putting a forfeiture
16 allegation before the jury when nothing has been submitted to
17 me on this issue.

18 MR. COLE: I think it was. If it hasn't, I'm sorry.
19 Is there an issue of waiver? Are you sort -- do you want to
20 talk to your client first?

21 MR. JONES: We have to talk to him for five minutes.

22 THE COURT: All right. I will wait again.

23 MR. COLE: It was part of the indictment. It was a
24 forfeiture allegation. It was a part of the indictment.

25 THE COURT: We removed the forfeiture instruction, as

1 you might recall. There was no jury form for a forfeiture
2 finding.

3 I have another matter where counsel are waiting. So
4 if you want to talk to your client about it, we'll reset this
5 trial.

6 MR. JONES: Yeah, Judge, I understand. This presents
7 sort of a unique problem. I need to talk to my co-counsel --

8 THE COURT: All right.

9 MR. JONES: -- Judge.

10 THE COURT: We will call the other case, then.

11 MR. JONES: All right.

12 (Whereupon, the Court heard another matter on her call.)

13 (A change of court reporters was had.)
14
15
16
17
18
19
20
21
22
23
24
25

C E R T I F I C A T E

I, Colleen M. Conway, do hereby certify that the foregoing is a complete, true, and accurate transcript of the Trial proceedings, Volume 8, Pages 1693 to 1701, had in the above-entitled case before the HONORABLE SUZANNE B. CONLON, one of the Judges of said Court, at Chicago, Illinois, on March 13, 2012.

/s/ Colleen M. Conway, CSR, RMR, CRR

10/18/12

Official Court Reporter
United States District Court
Northern District of Illinois
Eastern Division

Date